

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,  
Plaintiff,  
  
vs.  
JESS GEORGE ADAMS,  
Defendant.

Case No. 3:23-cr-00021-SLG KFR

**DISCOVERY PLAN AND  
PRETRIAL MOTION SCHEDULE**

This Order is binding on all counsel in this case unless otherwise ordered and is not subject to amendment by the parties without Court approval.

This Court declared this case complex. Trial is currently scheduled for April 22, 2024. The deadlines below represent the latest possible dates on which the parties have to produce evidence relevant to each particular category. In the spirit of continued cooperation, the Court expects the parties to provide discovery prior to those dates when feasible. The Government must maintain a record of all discovery provided to the Defendant and the date on which it produced each item.

All parties acknowledge their ongoing responsibility to turn over any new discoverable material.

**Discovery and Inspection Plan**

(1) **Defendant's oral, written, or recorded statements** as described in Fed. R. Crim. P. 16(a)(1)(A) and (B) shall be disclosed **no later than 180 days prior to trial**.

(2) **Defendant's prior records** as described in Fed. R. Crim. P. 16(a)(1)(D) shall be disclosed **no later than 180 days prior to trial**.

(3) **All documents and objects** as described in Fed. R. Crim. P. 16(A)(1)(E) shall be produced or made available for review **no later than 180 days prior to trial**. Materials obtained pursuant to separate grand jury process shall be provided within 60 days of this order if the government intends to use them at trial.

(4) This Court previously ordered the Government to comply with its disclosure obligations under **Brady v. Maryland, 373 U.S. 83 (1963)**, and its progeny, at arraignment. These obligations remain ongoing.

(5) **Government reports of examinations and tests** as described in Fed. R. Crim. P. 16(a)(1)(F), excluding the expert reports described below, shall be produced **no later than 180 days prior to trial**.

(6) Defense **reports of examinations and tests** as described in Fed. R. Crim. P. 16(b)(1)(B), excluding the expert reports described below, shall be produced **no later than 180 days prior to trial**.

(7) **Defense documents and objects** as described in Fed. R. Crim. P. 16(b)(1)(A) shall be disclosed or made available for inspection by the Government **no later than 180 days prior to trial**.

(8) The Government will notify defendant **no later than 120 days prior to trial** of its intent to use at trial any testimonial statements of any co-conspirators that inculcate Defendant, and the Government will identify those statements as specifically as possible.

(9) Reciprocal discovery from the Defendant under Fed. R. Crim. P. 16(b)(1)(A) and (B) shall be disclosed to the Government **no later than 120 days prior to trial**.

(10) The **Government will identify any experts** it intends to use in its case-in-

chief pursuant to Fed. R. Evid. 702, 703, and 705 **no later than 90 days prior to trial.**

(11) The Government shall produce all **expert reports and summary of expert testimony** during its case-in-chief pursuant to Fed. R. Crim. P. 16(A)(1)(G) **no later than 90 days prior to trial.**

(12) The Defendant will **identify any experts** they intend to use at trial pursuant to Fed. R. Evid. 702, 703, and 705 **no later than 45 days prior to trial.**

(13) The Defendant shall produce any expert reports, and a written summary of any testimony that Defendant intends to use at trial, to the Government **no later than 45 days prior to trial.**

(14) The Government shall provide notice of any **evidence of other crimes, wrongs, or acts** by the defendant that the Government seeks to use at trial pursuant to Evid. R. 404(b) by **no later than 45 days prior to trial.**

(15) The Government shall provide notice of any **evidence of conviction of a crime** by the Defendant that the Government seeks to use at trial pursuant to Evid. R. 609 by **no later than 45 days prior to trial.**

(16) The Government will notify Defendant **no later than 45 days prior to trial** of its intent to use at trial any statements of coconspirators that inculcate Defendant and are viewed by the Government as non-testimonial. The Government will identify those statements as specifically as possible.

The Government shall **certify that all discovery required by law and this Order** has been provided to the defense **no later than 30 days prior to trial.**

### **Pretrial Motions Deadlines**

	<u>Motion Deadline</u>	<u>Response Deadline</u>
Motions related to discovery	<b>120 days before trial</b>	<b>Two weeks after filing</b>
Motions challenging the indictment or statutes involved; motions for bill of particulars	<b>120 days before trial</b>	<b>Two weeks after filing</b>
Motions to suppress evidence; motion to disclose confidential informants; motions to sever	<b>120 days before trial</b>	<b>Two weeks after filing</b>
Motions in limine	<b>30 days before trial</b>	<b>One week after filing</b>
Motions related to experts	<b>30 days before trial</b>	<b>One week after filing</b>
Motions in limine challenging whether statements of co-conspirators are non-testimonial	<b>30 days before trial</b>	<b>One week after filing</b>

  

Trial briefs, proposed jury instructions, proposed verdict forms, and requested voir dire	<b>Two weeks before trial</b>	<b>One week before trial</b>
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Additionally, the parties shall exchange anticipated exhibits in digital form and provide the Court with copies of the exhibits **at least one week before trial**.

Given the length of time provided by the Court for the completion of discovery and presentation of pretrial issues, no continuances of the pretrial motion deadlines will be granted absent good cause.

### **Further Disclosures**

(1) The Government shall produce all evidence, known or within its possession, that tends to adversely affect the credibility of a Government witness, and all disclosures

required under *Giglio v. United States*, 405 U.S. 150 (1972), which are not included in witness statements, **at least 30 days prior to trial**.

(2) The Government shall disclose all *Jencks* Act material **at least 30 days prior to trial**, unless there is further notice by the Government to delay disclosure based on good cause.

Both the Government and the defendant have a continuing duty to disclose any additional evidence or material discovered before, during, or after trial if the federal rules or this Court's order require its production. Such evidence must be promptly disclosed to the other party or to the Court.

If a party fails to comply with this discovery order, the Court may order that discovery or inspection occur by a certain date and in a certain manner; grant a continuance; prohibit the offending party from introducing the undisclosed evidence at trial; or enter any other order that is just under the circumstances.

IT IS ORDERED that the above scheduling order is set in this case. If a party seeks to amend a deadline or add an additional deadline, the party must file a motion **within seven days** of the date of this Order.

DATED this 31st day of August, 2023, at Anchorage, Alaska.

/s/ Sharon L. Gleason  
HON. SHARON L. GLEASON  
District Court Judge